



Monday
November 9, 1998

Part IX

**Department of
Housing and Urban
Development**

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Subtitles A and B

[Docket No. FR-4335-02]

Semiannual Agenda of Regulations

AGENCY: Department of Housing and Urban Development.

ACTION: Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866 "Regulatory Planning and Review," the Department is publishing its agenda of (1) regulations already issued or expected to be issued and (2) currently effective rules that are under review. Additionally, in accordance with section 602 of the Regulatory Flexibility Act, the Department also has prepared an agenda of regulations expected to be proposed or promulgated, which are likely to have a significant economic impact on a substantial number of small entities. As permitted by Executive Order 12866 and the Regulatory Flexibility Act, the two agendas are combined for publication.

FOR FURTHER INFORMATION CONTACT: Camille E. Acevedo, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10276, 451 Seventh Street SW., Washington, DC 20410, (202) 708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Executive Order 12866 "Regulatory Planning and Review," published on October 4, 1993 (58 FR 51735), requires each agency to publish semiannually an agenda of (1) regulations that the agency has issued or expects to issue and (2) currently effective regulations that are under agency review. Consistent with the principles set forth in Executive Order 12866 to reduce and streamline regulations and in response to President Clinton's memorandum to Federal agencies to examine all regulations and eliminate those that are obsolete, the Department continues to examine those rules proposed to be issued under these principles.

The Regulatory Flexibility Act (5 U.S.C. 601-612) requires each agency to publish semiannually a regulatory

agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866 and the Regulatory Flexibility Act each permits incorporation of the agenda required with any other prescribed agenda. The agenda set out below combines the information required by Executive Order 12866 and the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive order or by the Act, which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each agency to publish annually a list of the rules that have a significant economic impact upon a substantial number of small entities and that are to be reviewed in accordance with section 610 during the succeeding 12 months. All rules under development, published in each HUD agenda, are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. In 1995 and 1996, all HUD regulations then codified underwent a section 610 review when these regulations were examined in accordance with President Clinton's regulatory reinvention initiative. The Department invites comments from the public on any rule listed in this agenda that the public may believe will have a significant economic impact on a substantial number of small entities. The Department specifically invites comment on HUD's rules pertaining to manufactured housing, lead-based paint hazard control, and real estate settlement procedures.

The Department also is subject to certain rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 *et seq.*). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Banking and Financial Services) a semiannual agenda of all rules or regulations which

are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. If, within that period, either committee notifies the Secretary that it intends to review any rule or regulation which appears on the agenda, the Secretary must submit to both committees a copy of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days before it is published for comment. The semiannual agenda published today is the agenda transmitted to the committees in compliance with this requirement.

For purposes of Executive Order 12866, "regulation" or "rule" is defined as "an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency," subject to certain exceptions. The agenda published below focuses on regulatory material contained or expected to be contained in the Code of Federal Regulations (CFR) (or incorporated therein by reference) following publication in the **Federal Register**. As appropriate, however, issuances in the nature of general statements of policy may be published in the **Federal Register** but not for codification in the CFR.

The agenda items are divided first by program office. Within each program office, the agenda items are divided into four groups: (i) Prerulemaking actions, (ii) publication or other implementations of notices of proposed rulemaking, (iii) publications or other implementations of final rules, and (iv) completed actions. Within each grouping, rules are listed in chronological order by the part number of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected part number.

The agenda reflects that some rules have been withdrawn by the Department since issuance of the previous agenda. On further examination of the subject matters of these rules, the Department may determine that certain rules listed as withdrawn under this agenda are necessary, and if that determination is

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made, the rules will be included in a succeeding semiannual agenda.

Items listed in this agenda are from the following offices within the Department: Office of the Secretary; Office of Housing; Office of Public and Indian Housing; Office of Community Planning and Development; Office of Fair Housing and Equal Opportunity; Office of Administration; Office of Inspector General; Office of Policy

Development and Research; and the Government National Mortgage Association.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents below and are denoted by a bracketed

bold reference, which directs the reader to the appropriate sequence number in part II.

The Department invites all interested members of the public to comment on the rules listed in this fall 1998 agenda to assist the Department in improving its regulatory products and procedures.

Dated: August 25, 1998.

Gail W. Laster,
General Counsel.

Office of the Secretary—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1480 | 24 CFR 3 Common Rule: Nondiscrimination in Educational Activities (FR-4301) | 2501-AC42 |
| 1481 | 24 CFR 5 Sanctions for Underreporting of Income in the Assisted Housing Programs (FR-4334) (Reg Plan Seq. No. 35) | 2501-AC55 |
| 1482 | 24 CFR 8 Nondiscrimination Based on Disability; Multifamily Homeownership Projects (FR-4317) | 2501-AC47 |
| 1483 | 24 CFR 15 Revisions to HUD's Freedom of Information Act (FOIA) Regulations (FR-4292) | 2501-AC51 |
| 1484 | 24 CFR 17 Procedures for the Collection of Claims by the Government (FR-4318) | 2501-AC48 |
| 1485 | 24 CFR 24 Limited Denial of Participation in HUD Programs; Clarifying Amendments (FR-3975) | 2501-AC08 |
| 1486 | 24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399) | 2501-AC56 |
| 1487 | 24 CFR 42 Revisions to Regulations Implementing Uniform Relocation Act and Other Relocation Requirements in HUD Programs (FR-4122) | 2501-AC31 |
| 1488 | 24 CFR 56 Flood Insurance and HUD-Assisted Buildings Located Within Special Flood Hazard Areas (FR-4273) | 2501-AC40 |
| 1489 | 24 CFR 58 Regulations Governing the Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities; Miscellaneous Amendments (FR-4326) | 2501-AC52 |
| 1490 | 24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac (FR-4297) | 2501-AC41 |
| 1491 | 24 CFR 92 HOME Investment Partnerships Program: HOME Final Rule Revisions (FR-4329) | 2501-AC53 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of the Secretary—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1492 | 24 CFR 000 Adoption of Revised OMB Circular A-133; Administrative Requirements for Grantees to Reflect the Single Audit Act Amendments of 1996; Technical Amendments (FR-4296) | 2501-AC43 |
| 1493 | 24 CFR 5, subpart E Revised Restriction on Assistance to Noncitizens (FR-4154) | 2501-AC36 |
| 1494 | 24 CFR 6 Nondiscrimination in HUD Programs and Activities Receiving Assistance Under Title I of the Housing and Community Development Act of 1974 (FR-4092) | 2501-AC28 |
| 1495 | 24 CFR 25 Conforming Amendments to HUD's FHA-Single Family Housing and Multifamily Housing Enforcement Regulations (FR-4308) | 2501-AC44 |
| 1496 | 24 CFR 35 Lead-Based Paint Poisoning Prevention in Certain Residential Structures (FR-3482) (Reg Plan Seq. No. 36) | 2501-AB57 |
| 1497 | 24 CFR 45 Administrative Requirements for Grantees To Reflect Single Audit Act Amendments (FR-4258) | 2501-AC39 |
| 1498 | 24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142) | 2501-AC33 |
| 1499 | 24 CFR 91 Clarifying Amendments to Consolidated Submission for Community Planning and Development Programs (FR-4333) | 2501-AC54 |
| 1500 | 24 CFR 92 HOME Investment Partnerships Program—Additional Streamlining (FR-4111) | 2501-AC30 |
| 1501 | 24 CFR 401 Multifamily Housing Mortgage and Housing Assistance Restructuring Program (Mark to Market) and Renewal of Expiring Section 8 Project-Based Assistance (FR-4298) (Reg Plan Seq. No. 37) | 2501-AC57 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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Office of the Secretary—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1502 | 24 CFR 5 Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing (FR-4280) | 2501-AC45 |
| 1503 | 24 CFR 5 Uniform Financial Reporting Standards for HUD Housing Programs (FR-4321) | 2501-AC49 |
| 1504 | 24 CFR 58 Technical Amendment to HUD's Regulations Governing the Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities (FR-4138) | 2501-AC32 |
| 1505 | 24 CFR 91 Site and Neighborhood Standards for Development of HUD-Assisted Rental Housing (FR-3826) | 2501-AC15 |

Office of Housing—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1506 | 24 CFR 3282 Procedural and Enforcement Regulations for the Manufactured Home Construction and Safety Program (FR-4319) | 2502-AH14 |

Office of Housing—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1507 | 24 CFR 200 Single-Family Mortgage Insurance Clarification Requirement Concerning Floodplains Applicable to New Construction (FR-4323) | 2502-AH16 |
| 1508 | 24 CFR 200 UMs for Plastic Pipe, Insulation, Stucco, Glazing, and Roofing (FR-4391) | 2502-AH28 |
| 1509 | 24 CFR 201 Strengthening the Title I Property Improvement Loan Insurance Program (FR-4246) (Reg Plan Seq. No. 38) | 2502-AG95 |
| 1510 | 24 CFR 203 Builder Warranty for High Ratio Single-Family Mortgages (FR-4288) | 2502-AH08 |
| 1511 | 24 CFR 203 Single-Family Appraisal Assessment (FR-4395) | 2502-AH27 |
| 1512 | 24 CFR 207 Partial Payment of Claims for Health Care Facilities, Hospitals and Group Practice Facilities (FR-4387) | 2502-AH25 |
| 1513 | 24 CFR 290 Up-Front Grants in the Disposition of Multifamily Projects (FR-4310) | 2502-AH12 |
| 1514 | 24 CFR 3280 Updating Manufactured Housing Reference Standards (FR-4337) | 2502-AH17 |
| 1515 | 24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376) | 2502-AH23 |
| 1516 | 24 CFR 3282 Special Procedures Permitting Limited Completion of Manufactured Homes On-Site (FR-4216) | 2502-AG92 |
| 1517 | 24 CFR 3500 Real Estate Procedures Settlement Act (RESPA): Escrow Account Statement Itemization of Charges (FR-4390) | 2502-AH26 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of Housing—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1518 | 24 CFR 200 Delegation of Insuring Authority to Direct Endorsement Mortgagees (FR-4169) | 2502-AG87 |
| 1519 | 24 CFR 200 Use of Material Bulletins (FR-4265) | 2502-AH02 |
| 1520 | 24 CFR 200.925 to 200.926 Update of the Model Energy Code (MEC) (FR-4272) | 2502-AH03 |
| 1521 | 24 CFR 200 Electronic Submission of Required Data by Multifamily Mortgages (FR-4303) | 2502-AH11 |
| 1522 | 24 CFR 201 Title I Property Improvement and Manufactured Home Loan Insurance Programs (FR-4242) | 2502-AG94 |
| 1523 | 24 CFR 203 Single-Family Property Disposition (FR-4244) | 2502-AG96 |
| 1524 | 24 CFR 203 Suspension of FHA Single-Family Mortgage Insurance Program for Mortgages on Indian Reservations Insured Pursuant to Section 248 of the National Housing Act (FR-4251) | 2502-AH00 |
| 1525 | 24 CFR 203 Mortgage Insurance Premium Reduction in Central Cities (FR-4284) | 2502-AH07 |
| 1526 | 24 CFR 203 Single Family Mortgage Insurance; Direct Endorsement and Automated Underwriting (FR-4311) | 2502-AH15 |
| 1527 | 24 CFR 206.45(e) Home Equity Conversion Mortgages; Right of First Refusal Permitted for Condominium Associations (FR-4267) | 2502-AG93 |
| 1528 | 24 CFR 206 Home Equity Conversion Mortgages; Consumer Protection Measures Against Excessive Fees (FR-4306) | 2502-AH10 |

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Office of Housing—Final Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1529 | 24 CFR 242 Risk-Sharing Hospital Mortgage Insurance Program (FR-3914) | 2502-AG53 |
| 1530 | 24 CFR 891 Supportive Housing for the Elderly and Persons With Disabilities; Clarification of Exemption from Rent Control (FR-4346) | 2502-AH21 |
| 1531 | 24 CFR 3500 RESPA: Disclosure of Fees Paid to Retail Lenders (Brokers) (FR-3780) (Reg Plan Seq. No. 39) ... | 2502-AG40 |
| 1532 | 24 CFR 3500 Amendment to RESPA; Exemption for Employer Payments to Employees Who Make Like-Provider Referrals, and Other Amendments (FR-4173) | 2502-AG88 |
| 1533 | 24 CFR 3500 RESPA Statements of Policy Regarding Certain Private Mortgage Insurance Arrangements (FR-4342) | 2502-AH19 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of Housing—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1534 | 24 CFR 000 Portfolio Reengineering Transition Program Guidelines - FY 1998 (FR-4162) | 2502-AH13 |
| 1535 | 24 CFR 000 Secondary Market for Nonconforming Mortgage Loans to Low-Wealth Borrowers (FR-4348) | 2502-AH20 |
| 1536 | 24 CFR 201 Termination of an Approved Mortgagee's Origination Approval Agreement (FR-4239) | 2502-AG99 |
| 1537 | 24 CFR 291 Suspension of New Leases Under the Single-Family Property Disposition Homeless Program (FR-4275) | 2502-AH06 |
| 1538 | 24 CFR 401 Multifamily Housing Mortgage and Housing Assistance Restructuring Program (Mark to Market) and Renewal of Expiring Section 8 Project-Based Assistance (FR-4298) | 2502-AH09 |
| 1539 | 24 CFR 1720 Interstate Land Sales Disposition Fees; Change in Mailing Address and Authority to Make Electronic Payment (FR-4365) | 2502-AH22 |
| 1540 | 24 CFR 3280 Metal Roofing for Manufactured Housing—Interpretative Bulletin (FR-4271) | 2502-AH05 |

Office of Community Planning and Development—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1541 | 24 CFR 570 Community Development Block Grant Program; National Objective and Streamlining Changes (FR-4144) | 2506-AB90 |
| 1542 | 24 CFR 570.208 CDBG Slum/Blight National Objective Rule (FR-4260) (Reg Plan Seq. No. 40) | 2506-AB94 |
| 1543 | 24 CFR 570.200 Clarification of the Nature of Required CDBG Expenditure Documentation (FR-4261) (Reg Plan Seq. No. 41) | 2506-AB95 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of Community Planning and Development—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1544 | 24 CFR 91 CDBG Program for States; Community Revitalization Strategy Requirements & Miscellaneous Technical Amendments (FR-4081) | 2506-AB83 |
| 1545 | 24 CFR 570 Community Development Block Grant Program; Section 108 Application Requirements (FR-3298) ... | 2506-AB43 |
| 1546 | 24 CFR 570 Section 108 Loan Guarantee Program (FR-4039) | 2506-AB80 |
| 1547 | 24 CFR 570 Community Development Block Grant Programs for States; Program Income (FR-4067) | 2506-AB82 |
| 1548 | 24 CFR 576 Emergency Shelter Grants Program (FR-4330) | 2506-AB99 |

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Office of Community Planning and Development—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1549 | 00 CFR None Administrative Guidelines for CPD Programs; Section 102(d) Limitation on Combining Other Government Assistance With CPD Housing Assistance (FR-3135) | 2506-AB74 |

Office of Community Planning and Development—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1550 | 24 CFR 597 New Empowerment Zones (FR-4281) | 2506-AB97 |

Government National Mortgage Association—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1551 | 24 CFR 300.3 Ginnie Mae - Finance - NAHASDA Implementation (FR-4215) | 2503-AA11 |

Government National Mortgage Association—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1552 | 24 CFR 320.10 Ginnie Mae - Financial Reporting (FR-4331) | 2503-AA12 |

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1553 | 24 CFR 91 Fair Housing Planning Performance Standard (FR-4133) (Reg Plan Seq. No. 42) | 2529-AA81 |
| 1554 | 24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4392) | 2529-AA85 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of Fair Housing and Equal Opportunity—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1555 | 24 CFR 100 Implementation of the Housing for Older Persons Act of 1995 (FR-4094) | 2529-AA80 |
| 1556 | 24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898) | 2529-AA49 |
| 1557 | 24 CFR 180 Civil Money Penalties for Fair Housing Act Violations (FR-4302) | 2529-AA83 |

Office of Administration—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1558 | 48 CFR 2409 HUD Acquisition Regulation for Legal Services Contractors (FR-4291) | 2535-AA25 |

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Office of Administration—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1559 | 48 CFR 2401 HUD Acquisition Regulation—II (FR-4115) | 2535-AA24 |

Office of the Inspector General—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1560 | 24 CFR 2003 Privacy Act of 1974; Consolidation of Existing Systems of Records Into Single System of Records (FR-4283) | 2508-AA10 |

Policy Development and Research—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1561 | 24 CFR 570 Community Development Hispanic-Serving Institutions Work Study Program (FR-4269) | 2528-AA07 |
| 1562 | 24 CFR 570 Removal of the Repayment Requirement for Participants in the Community Development Work-Study Program (CDWSP) (FR-4324) | 2528-AA08 |

Office of Public and Indian Housing—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1563 | 24 CFR 901 Resident Survey Information Disclosure Requirements—Privacy Act (FR-4393) | 2577-AB84 |
| 1564 | 24 CFR 901 Quality Assurance Review of Independent Public Auditors by Real Estate Assessment Center Staff (FR-4394) | 2577-AB85 |
| 1565 | 24 CFR 945 Designated Housing Program Amendments (FR-3964) | 2577-AB57 |
| 1566 | 24 CFR 985 Section 8 Management Assessment Program (SEMAP) New Performance Indicators (FR-4388) | 2577-AB83 |

Office of Public and Indian Housing—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1567 | 24 CFR 5, subpart F Ceiling Rents for Public Housing (FR-3880) | 2577-AB75 |
| 1568 | 24 CFR 882 Housing Opportunity Program Extension Act of 1996 Implementation Provisions and Section 8 Certificate, Voucher, & Moderate Rehabilitation Admission & Occupancy Policies Revisions (FR-4159) | 2577-AB72 |
| 1569 | 24 CFR 901 Public Housing Assessment System (FR-4313) | 2577-AB81 |
| 1570 | 24 CFR 941 Public Housing Development Regulations (FR-3569) | 2577-AB37 |
| 1571 | 24 CFR 941 Public Housing Mixed-Finance Partnership Development—Streamlining (FR-4113) | 2577-AB69 |
| 1572 | 24 CFR 960 Public Housing Admission and Occupancy Reforms and Streamlining (FR-4084) (Reg Plan Seq. No. 43) | 2577-AB67 |
| 1573 | 24 CFR 968 Replacement Housing Factor in Modernization Funding (FR-4125) | 2577-AB71 |
| 1574 | 24 CFR 971 Assessment of the Reasonable Revitalization Potential of Certain Public Housing Required by Law (FR-4120) (Reg Plan Seq. No. 44) | 2577-AB79 |
| 1575 | 24 CFR 985 Section 8 Rental Voucher and Certificate Programs—Section 8 Management Assessment Program (SEMAP) (FR-3986) | 2577-AB60 |
| 1576 | 24 CFR 990 Public Housing Performance Funding System: Incentives (FR-4072) | 2577-AB65 |
| 1577 | 24 CFR 1005 Loan Guarantee for Indian Housing; Direct Guarantee Processing (FR-4241) | 2577-AB78 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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Office of Public and Indian Housing—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1578 | 00 CFR None Administrative Guidelines for PIH Regarding Section 102(d) Limitations on Combining Other Government Assistance ("Subsidy Layering") (FR-3100) | 2577-AB53 |

Office of Public and Indian Housing—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1579 | 24 CFR 904 Streamlining of Turnkey III Program Regulations (FR-4217) | 2577-AB76 |
| 1580 | 24 CFR 982 Section 8 Tenant-Based Programs: Addition of Provisions on Rents and Special Housing Types (FR-4054) | 2577-AB63 |
| 1581 | 24 CFR 982 Section 8 Program Restrictions on Leasing to Relatives (FR-4149) | 2577-AB73 |

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Secretary (HUDSEC)

Proposed Rule Stage

**1480. COMMON RULE:
NONDISCRIMINATION IN
EDUCATIONAL ACTIVITIES (FR-4301)****Priority:** Other Significant**Legal Authority:** 20 USC 1681 to 1683;
20 USC 1685 to 1688**CFR Citation:** 24 CFR 3**Legal Deadline:** None

Abstract: This is HUD's component of a common rule coordinated by the Department of Justice to implement amendments made to title IX of the Education Amendments of 1972 to prohibit discrimination on the basis of sex in all federally funded educational activities.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 06/00/99 | |
| NPRM Comment Period End | 08/00/99 | |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** State,
Local

Agency Contact: Betsy Ryan, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 619-8041

RIN: 2501-AC42**1481. SANCTIONS FOR
UNDERREPORTING OF INCOME IN
THE ASSISTED HOUSING PROGRAMS
(FR-4334)**

Regulatory Plan: This entry is Seq. No. 35 in Part II of this issue of the **Federal Register**.

RIN: 2501-AC55**1482. NONDISCRIMINATION BASED
ON DISABILITY; MULTIFAMILY
HOMEOWNERSHIP PROJECTS (FR-
4317)****Priority:** Other Significant**Legal Authority:** 29 USC 794**CFR Citation:** 24 CFR 8**Legal Deadline:** None

Abstract: This rule will clarify the applicability of HUD's requirements under section 504 of the Rehabilitation Act of 1973 to multifamily homeownership projects. It will also replace the term "handicap" with "disability" to conform to the Rehabilitation Amendments of 1992.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/98 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Cheryl Kent, Director, Program Compliance and Disability Rights Support Division, Department of

Housing and Urban Development,
Office of Fair Housing and Equal
Opportunity
Phone: 202 708-2333

RIN: 2501-AC47**1483. REVISIONS TO HUD'S
FREEDOM OF INFORMATION ACT
(FOIA) REGULATIONS (FR-4292)****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552; 42 USC
3535(d)**CFR Citation:** 24 CFR 15**Legal Deadline:** None

Abstract: This rule would revise HUD's FOIA regulations to include the Electronic Freedom of Information Act requirements and to simplify them. It would also make changes to reflect the Department's reorganization of the handling of production and disclosure of documents.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment Period End | 01/00/99 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: William Barth, Managing Attorney for FOIA, Department of Housing and Urban Development, Office of the General Counsel

HUD—HUDSEC

Proposed Rule Stage

Phone: 202 708-3866

RIN: 2501-AC51

1484. PROCEDURES FOR THE COLLECTION OF CLAIMS BY THE GOVERNMENT (FR-4318)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 31 USC 3701

CFR Citation: 24 CFR 17

Legal Deadline: None

Abstract: This rule would amend the Department's procedures for the collection of claims by (1) moving the designation of the Department's Claims Officer from the Office of Administration to the Office of the Chief Financial Officer, and (2) revising the regulations at 24 CFR part 17 pertaining to administrative offset, tax refund offset, and salary offset.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment Period End | 01/00/99 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Wallace Garner, Director, Finance Planning & Analysis Div., Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-0654

RIN: 2501-AC48

1485. LIMITED DENIAL OF PARTICIPATION IN HUD PROGRAMS; CLARIFYING AMENDMENTS (FR-3975)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 24

Legal Deadline: None

Abstract: This rule would streamline and clarify the causes for a limited

denial of participation (LDP) in most HUD programs; conform the provisions with Governmentwide regulations; clarify calculation of a time period; and make other technical corrections.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 01/00/99 | |
| NPRM Comment Period End | 03/00/99 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Emmett Roden, Deputy Chief Counsel for Administrative Proceedings, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-2350

RIN: 2501-AC08

1486. • AMENDMENTS TO HUD'S CIVIL MONEY PENALTY REGULATIONS (FR-4399)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701q to 1; 12 USC 1703; 12 USC 1723i; 12 USC 1735f to 14; 12 USC 1735f to 15; 15 USC 1717a; 28 USC 2461 note; 42 USC 1437z to 1; 42 USC 3535(d)

CFR Citation: 24 CFR 30

Legal Deadline: None

Abstract: The Multifamily Assisted Housing Reform and Affordability Act of 1997 (Title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998; Pub. L. 105-65, approved October 27, 1997) (the Act) made several amendments to strengthen HUD's enforcement authority. Among other amendments, the Act expands the list of persons and types of violations subject to a civil money penalty under HUD's multifamily insured housing programs. The Act also amends the United States Housing Act of 1937 (the statutory authority for HUD's public and assisted housing programs) to provide for the imposition of civil money penalties for noncompliance with section 8 Housing Assistance Payment contracts. In accordance with the Act, HUD is implementing these statutory amendments through issuance of a proposed rule. The rule would incorporate these amendments in

HUD's civil money penalty regulations located at 24 CFR part 30.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 12/00/98 | |
| NPRM Comment Period End | 02/00/99 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Emmett Roden, Deputy Chief Counsel for Administrative Proceedings, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-2350

RIN: 2501-AC56

1487. REVISIONS TO REGULATIONS IMPLEMENTING UNIFORM RELOCATION ACT AND OTHER RELOCATION REQUIREMENTS IN HUD PROGRAMS (FR-4122)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 4601; 42 USC 5304; 42 USC 12705(b)

CFR Citation: 24 CFR 42; 24 CFR 92; 24 CFR 215; 24 CFR 219; 24 CFR 221; 24 CFR 236; 24 CFR 290; 24 CFR 882; 24 CFR 511; 24 CFR 570; 24 CFR 574; 24 CFR 576; 24 CFR 582; 24 CFR 583; 24 CFR 585; ...

Legal Deadline: None

Abstract: In an effort to comply with the President's regulatory reform initiatives, HUD proposes streamlining its regulations for displacement, relocation assistance, and real property acquisition, by consolidating into part 42 similar provisions appearing throughout title 24 of the Code of Federal Regulations and by eliminating provisions that repeat statutory language or are otherwise unnecessary. HUD also proposes to include in part 42 technical corrections to certain regulations implementing Section 104(d) of Housing and Community Act of 1974. Finally, HUD proposes to issue regulations in part 42 that would

HUD—HUDSEC

Proposed Rule Stage

implement Section 922 of the HCD Act which prohibits lump sum payments for relocation compensation.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 10/11/96 | 61 FR 53341 |
| ANPRM Comment Period End | 12/10/96 | |
| NPRM | 03/00/99 | |
| NPRM Comment Period End | 05/00/99 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marcia Dodge, Director, Office of Affordable Housing Programs, Department of Housing and Urban Development, Office of Community Planning and Development Phone: 202 708-2685

RIN: 2501-AC31

1488. FLOOD INSURANCE AND HUD-ASSISTED BUILDINGS LOCATED WITHIN SPECIAL FLOOD HAZARD AREAS (FR-4273)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 56; 24 CFR 511.16(d); 24 CFR 570.605; 24 CFR 570.640; 24 CFR 572.425(f); 24 CFR 574.640; 24 CFR 583.330(a); 24 CFR 761.40(b); 24 CFR 882.407(c)(2); 24 CFR 886.313(c)(8); 24 CFR 891.155(c); 24 CFR 941.202(j); 24 CFR 968.110(d); 24 CFR 983.7(a)(6)

Legal Deadline: None

Abstract: This rulemaking is part of the Reinventing Government effort to remove redundancy throughout title 24 of CFR for flood insurance requirements as currently cited in the affected HUD program regulations. The rule would streamline, consolidate, and codify into a single CFR part all the flood insurance and disaster assistance requirements described separately in each of the individual HUD program regulations of title 24 of the CFR. The flood insurance and disaster assistance requirements are general and cross-cutting and applicable to all HUD programs that provide financial

assistance for buildings located within Special Flood Hazard Areas. As presently described in each of the affected individual HUD program regulations, the text is redundant sometimes outdated or incomplete, uninformative, and less than user-friendly.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 02/00/99 | |
| NPRM Comment Period End | 04/00/99 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Walter Prybyla, Deputy Director for Policy Environmental Review Div., Department of Housing and Urban Development, Office of Community Planning and Development Phone: 202 708-1201

RIN: 2501-AC40

1489. REGULATIONS GOVERNING THE ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD'S ENVIRONMENTAL RESPONSIBILITIES; MISCELLANEOUS AMENDMENTS (FR-4326)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1707; 42 USC 3535(d)

CFR Citation: 24 CFR 58

Legal Deadline: None

Abstract: This rule proposes revisions to 24 CFR part 58 that could not be made as part of the technical corrections final rule (see RIN 2501-AC32; FR-4138) because that rule did not provide for prior public comment. Among other matters, this rule would revise notice requirements when funds are needed for an emergency.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 12/00/98 | |
| NPRM Comment Period End | 02/00/99 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Richard Broun, Director, Office of Community Viability, Department of Housing and

Urban Development, Office of Community Planning and Development Phone: 202 708-2894

RIN: 2501-AC52

1490. SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC (FR-4297)

Priority: Other Significant

Legal Authority: PL 101-73; 12 USC 4501 to 4641

CFR Citation: 24 CFR 81

Legal Deadline: None

Abstract: Through a notice published on 12/30/97, HUD sought comments from the public regarding a possible future proposed rule on non-mortgage investments to amend HUD's regulations at 24 CFR part 81 governing the Federal Home Loan Mortgage Corporation (Freddie Mac) and Federal National Mortgage Corporation (Fannie Mae) (both are known as Government Sponsored Enterprises or GSEs). Under their respective Charters, the GSEs have broad authority to invest their funds. At the same time, the Secretary has general regulatory power over the GSEs to ensure that the purposes of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, the Federal National Mortgage Association Charter Act, and the Federal Home Loan Mortgage Corporation Act are accomplished. HUD's current GSE regulations do not contain specific provisions concerning non-mortgage investments by the GSEs. Based on comments received and its analysis, HUD may issue a proposed rule on this subject.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 12/30/97 | 62 FR 68060 |
| ANPRM Comment Period End | 03/30/98 | |
| NPRM | 12/00/98 | |
| NPRM Comment Period End | 02/00/99 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Janet Tasker, Director, Office of Government Sponsored Enterprise Oversight, Department of Housing and Urban Development, Office of Housing Phone: 202 708-2224

RIN: 2501-AC41

HUD—HUDSEC

Proposed Rule Stage

1491. HOME INVESTMENT PARTNERSHIPS PROGRAM: HOME FINAL RULE REVISIONS (FR-4329)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 12701 to 12839; 42 USC 3535(d)**CFR Citation:** 24 CFR 92**Legal Deadline:** None**Abstract:** This rulemaking will make certain revisions to the HOME Program regulations in an effort to improve and simplify program administration.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment Period End | 01/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Mary Kolesar, Director, Program Policy Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-2470**RIN:** 2501-AC53**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)****Final Rule Stage****Office of the Secretary (HUDSEC)****1492. ADOPTION OF REVISED OMB CIRCULAR A-133; ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT THE SINGLE AUDIT ACT AMENDMENTS OF 1996; TECHNICAL AMENDMENTS (FR-4296)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 000**Legal Deadline:** None**Abstract:** On June 30, 1997, OMB published revised Circular A-133 to implement the Single Audit Act Amendments of 1996. The Act sets forth requirements for obtaining consistency and uniformity among Federal agencies for the audit of States, local governments, and non-profit organizations expending Federal awards. HUD adopted the revised circular in November 1997. This final rule makes technical amendments throughout title 24 of the Code of Federal Regulations to correct references outdated as a result of the revised circular.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** James Heist, Director Financial Audits Division, Department of Housing and Urban Development, Office of the Inspector General
Phone: 202 708-0383**RIN:** 2501-AC43**1493. REVISED RESTRICTION ON ASSISTANCE TO NONCITIZENS (FR-4154)****Priority:** Other Significant**Legal Authority:** 42 USC 1436a; 42 USC 3535(d)**CFR Citation:** 24 CFR 5, subpart E**Legal Deadline:**

Other, Statutory, November 29, 1996, Interim.

Abstract: Section 214 of the Housing and Community Development Act of 1980 prohibits HUD from making certain financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible noncitizens. On November 29, 1996 (62 FR 60535), HUD published an interim rule revising HUD's regulations governing assistance to noncitizens to incorporate the statutory amendments made to section 214 by the Use of Assisted Housing by Aliens Act of 1996 ("Immigration Reform Act"). This rule finalizes the policies and procedures described in the November 29, 1996 interim rule and addresses the public comments received on the interim rule.**Timetable:**

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 11/29/96 | 61 FR 60535 |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Patricia Arnaudo, Acting Director, Occupancy Division, Department of Housing and Urban Development, Office of Public and Indian Housing

Phone: 202 619-8201

RIN: 2501-AC36**1494. NONDISCRIMINATION IN HUD PROGRAMS AND ACTIVITIES RECEIVING ASSISTANCE UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (FR-4092)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 5309; 42 USC 3535(d)**CFR Citation:** 24 CFR 6; 24 CFR 8; 24 CFR 570**Legal Deadline:** None**Abstract:** This rule will add a new part 6 to HUD's regulations. Part 6 will set forth HUD's procedures and policies to assure nondiscrimination in programs and activities receiving Federal financial assistance from HUD under title I of the Housing and Community Development Act of 1974.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 05/11/98 | 63 FR 26022 |
| NPRM Comment Period End | 07/10/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Federal**Agency Contact:** Betsy Ryan, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 619-8041**RIN:** 2501-AC28

HUD—HUDSEC

Final Rule Stage

1495. CONFORMING AMENDMENTS TO HUD'S FHA-SINGLE FAMILY HOUSING AND MULTIFAMILY HOUSING ENFORCEMENT REGULATIONS (FR-4308)**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701q-1; 12 USC 1703; 12 USC 1708(c) to 1708(d); 12 USC 1709(s); 12 USC 1715b; 12 USC 1723i; 12 USC 1735f-14; 12 USC 1735f-15; 15 USC 1717a; 28 USC 2461 note; 42 USC 3535(d)**CFR Citation:** 24 CFR 25; 24 CFR 30**Legal Deadline:** None

Abstract: The Multifamily Assisted Housing Reform and Affordability Act of 1997 (title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998; Pub.L. 105-65, approved October 27, 1997) (Multifamily Housing Reform Act) made several amendments to strengthen the enforcement provisions of the National Housing Act (12 U.S.C. 1701 et seq.). Among other amendments, the Multifamily Housing Reform Act provides that a suspension issued by the HUD Mortgagee Review Board is effective upon issuance, if there is sufficient evidence that immediate action is required to protect the financial interests of HUD or the public. Currently, such a suspension is effective only after HUD's issuance of 30-day written notice to the mortgagee. The Multifamily Housing Reform Act also expanded the list of persons subject to a civil money penalty for violations of Federal Housing Administration (FHA) program requirements. This rule updates HUD's FHA enforcement regulations at 24 CFR parts 25 and 30 to incorporate the amendments made by the Multifamily Housing Reform Act.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Emmett Roden, Deputy Chief Counsel for Administrative Proceedings, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-2350

RIN: 2501-AC44**1496. LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES (FR-3482)****Regulatory Plan:** This entry is Seq. No. 36 in Part II of this issue of the **Federal Register**.**RIN:** 2501-AB57**1497. ADMINISTRATIVE REQUIREMENTS FOR GRANTEEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS (FR-4258)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); PL 104-156**CFR Citation:** 24 CFR 45**Legal Deadline:** None

Abstract: This rule adopts the final revision of OMB Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations" to establish uniform audit requirements for non-Federal entities that administer Federal awards and to implement the Single Audit Act Amendments of 1996. OMB Circular A-128 "Audits of States and Local Governments" is rescinded as a result of the consolidation of audit requirements under Circular A-133.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 11/18/97 | 62 FR 61616 |
| Interim Final Rule Effective | 12/18/97 | |
| Interim Final Rule Comment Period End | 01/20/98 | |
| Final Action | 01/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: James Heist, Director Financial Audits Division, Department of Housing and Urban Development, Office of the Inspector General
Phone: 202 708-0383

RIN: 2501-AC39**1498. FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS (FR-4142)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); EO 11990**CFR Citation:** 24 CFR 55**Legal Deadline:** None

Abstract: HUD is adopting procedures to implement Executive Order 11990 "Protection of Wetlands." HUD's proposed rule published on January 4, 1990 (55 FR 396), proposed to implement wetlands procedures, but the final rule published on April 21, 1994 (59 FR 19100) only contained procedures implementing Executive Order 11988 on Floodplain Management. References to the wetlands procedures were removed from the 1994 final rule because at that time the Administration was revising Federal policy concerning wetlands. This rule will amend part 55 to implement the procedures for wetlands protection in accordance with Executive Order 11990. The rule would also propose several other changes including expanding the number of HUD programs that would be subject to the four-step decision-making process for ensuring compliance with part 55.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 06/02/98 | 63 FR 30046 |
| NPRM Comment Period End | 08/03/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

Agency Contact: Walter Prybyla, Deputy Director for Policy Environmental Review Div., Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1201

RIN: 2501-AC33**1499. CLARIFYING AMENDMENTS TO CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS (FR-4333)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d)

HUD—HUDSEC

Final Rule Stage

CFR Citation: 24 CFR 91**Legal Deadline:** None

Abstract: This rule would amend 24 CFR part 91 to address comments and issues raised by members of the public on the Consolidated Plan regulations in part 91. Because certain comments require further proposed rulemaking, they could not be addressed in the technical corrections to the final rule.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Salvatore Scalfani, Acting Director, Policy Division, Office of Executive Services, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1283

RIN: 2501-AC54

1500. HOME INVESTMENT PARTNERSHIPS PROGRAM—ADDITIONAL STREAMLINING (FR-4111)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d); 42 USC 12701 to 12839

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rule implements the proposed rule published August 22, 1997, that amended on an interim basis, subject to public comment, section 92.252(i)(2) to limit the rents charged to tenants of HOME-assisted units whose income rises above 80 percent of area median income in HOME projects in which the HOME-assisted units "float."

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 12/11/96 | 61 FR 65298 |
| NPRM Comment Period End | 02/10/97 | |
| Final Rule | 08/22/97 | 62 FR 44838 |
| Final Rule Effective | 09/22/97 | |
| Comment Period End | 10/21/97 | |

| Action | Date | FR Cite |
|------------------------|----------|---------|
| Final Action | 12/00/98 | |
| Final Action Effective | 01/00/99 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Kolesar, Director, Program Policy Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-2470

RIN: 2501-AC30

1501. MULTIFAMILY HOUSING MORTGAGE AND HOUSING ASSISTANCE RESTRUCTURING PROGRAM (MARK TO MARKET) AND RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE (FR-4298)

Regulatory Plan: This entry is Seq. No. 37 in Part II of this issue of the **Federal Register**.

RIN: 2501-AC57

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of the Secretary (HUDSEC)

Completed Actions

1502. UNIFORM PHYSICAL CONDITION STANDARDS AND PHYSICAL INSPECTION REQUIREMENTS FOR CERTAIN HUD HOUSING (FR-4280)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 24 CFR 5; 24 CFR 207; 24 CFR 266; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 891; 24 CFR 965; 24 CFR 983

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 09/01/98 | 63 FR 46566 |
| Final Action Effective | 10/01/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William Thorson

Phone: 202 755-0102

RIN: 2501-AC45

1503. UNIFORM FINANCIAL REPORTING STANDARDS FOR HUD HOUSING PROGRAMS (FR-4321)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 24 CFR 5; 24 CFR 200; 24 CFR 236; 24 CFR 266; 24 CFR 880; 24 CFR 886; 24 CFR 982

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 09/01/98 | 63 FR 46582 |
| Final Action Effective | 10/01/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William Thorson

Phone: 202 755-0102

RIN: 2501-AC49

1504. TECHNICAL AMENDMENT TO HUD'S REGULATIONS GOVERNING THE ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD'S ENVIRONMENTAL RESPONSIBILITIES (FR-4138)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 58

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 03/30/98 | 63 FR 15270 |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard Broun
Phone: 202 708-2894

RIN: 2501-AC32

HUD—HUDSEC

Completed Actions

1505. SITE AND NEIGHBORHOOD STANDARDS FOR DEVELOPMENT OF HUD-ASSISTED RENTAL HOUSING (FR-3826)**Priority:** Other Significant**CFR Citation:** 24 CFR 91; 24 CFR 92; 24 CFR 150; 24 CFR 570; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883;

24 CFR 885; 24 CFR 889; 24 CFR 890; 24 CFR 941; 24 CFR 970; 24 CFR 983

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 08/24/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** William Dudley Gregorie
Phone: 202 708-2288**RIN:** 2501-AC15**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)**

Prerule Stage

1506. PROCEDURAL AND ENFORCEMENT REGULATIONS FOR THE MANUFACTURED HOME CONSTRUCTION AND SAFETY PROGRAM (FR-4319)**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 28 USC 2461; 42 USC 5424; 42 USC 3535(d)**CFR Citation:** 24 CFR 3282**Legal Deadline:** None**Abstract:** This notice announces HUD's intention to issue a proposed rule to update its procedural and enforcement

regulations for the Manufactured Home Construction and Safety Standards program (24 CFR part 3282). While the current monitoring and enforcement procedures work well in most cases, HUD is interested in alternative approaches that may better serve the objectives of consumers, the manufactured home industry, and HUD. This document requests recommendations from interested members of the public on ways HUD may update, streamline, and increase the effectiveness of its regulations in 24 CFR part 3282. With better enforcement regulations, HUD will ensure that manufacturers make homes that comply with the Federal construction and safety standards. More effective and efficient regulations will

also make manufactured housing an attractive source of affordable housing.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 10/09/98 | 63 FR 54527 |
| ANPRM Comment Period End | 12/08/98 | |
| NPRM | 02/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401**RIN:** 2502-AH14**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)**

Proposed Rule Stage

1507. SINGLE-FAMILY MORTGAGE INSURANCE CLARIFICATION REQUIREMENT CONCERNING FLOODPLAINS APPLICABLE TO NEW CONSTRUCTION (FR-4323)**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1709**CFR Citation:** 24 CFR 200; 24 CFR 203**Legal Deadline:** None**Abstract:** This rule would revise HUD regulations to remove currently conflicting provisions. It would clarify that new construction in a FEMA-designated Special Flood Hazard Area may be eligible for single family mortgage insurance if (1) the property is located in a participating community under the FEMA flood insurance program, (2) the property has flood insurance, and (3) the first habitable floor is built above the FEMA-designated base 100 year flood level.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment Period End | 01/00/99 | |

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Mark W. Holman, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121**RIN:** 2502-AH16**1508. • UMS FOR PLASTIC PIPE, INSULATION, STUCCO, GLAZING, AND ROOFING (FR-4391)****Priority:** Routine and Frequent**Legal Authority:** 12 USC 1701 to 1715z to 18**CFR Citation:** 24 CFR 200**Legal Deadline:** None**Abstract:** This proposed rule would promulgate the following Use of Materials Bulletins: UM 76a CPVC and PEX Plastic Pipe and Fittings Used in Hot and Cold Water Distribution Systems at 24 CFR part 200.9; UM 80a Spray Applied Cellulosic Thermal Insulation at 24 CFR part 200.9; UM 112 Exterior Insulation Stucco Systems at 24 CFR part 200.9; UM 113 Acrylic and Polycarbonate Plastic Sheets Used in Glazing at 24 CFR part 200.9; and UM 200 Photovoltaic (PV) Solar Roofing Systems at 24 CFR part 200.9.

HUD—OH

Proposed Rule Stage

In addition, UM 111 Fenestration Products has replaced UM 39b Aluminum Windows, UM 59b and 85a and therefore, 24 CFR parts 200.938, 200.939, and 200.941 are being deleted since they are covered under 200.955.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment | 01/00/99 | |
| Period End | | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Marion Connell, Director, Manufactured Housing and Standards Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6409

RIN: 2502-AH28**1509. STRENGTHENING THE TITLE I PROPERTY IMPROVEMENT LOAN INSURANCE PROGRAM (FR-4246)**

Regulatory Plan: This entry is Seq. No. 38 in Part II of this issue of the **Federal Register**.

RIN: 2502-AG95**1510. BUILDER WARRANTY FOR HIGH RATIO SINGLE-FAMILY MORTGAGES (FR-4288)****Priority:** Other Significant**Legal Authority:** 12 USC 1709(b)**CFR Citation:** 24 CFR 203**Legal Deadline:** None

Abstract: The rule would propose an additional means of obtaining property approval for a new home that will secure an FHA-insured mortgage with a loan-to-value (LTV) ratio over 90%. Currently a mortgage with a high LTV ratio will be insured only if the property was approved by HUD or VA before construction or if the property is covered by a 10-year warranty plan offered by a warranty company with an insurance backer. The proposal would also allow a 3-year builder warranty to be used.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 10/00/98 | |
| NPRM Comment | 11/00/98 | |
| Period End | | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: John J. Coonts, Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AH08**1511. • SINGLE-FAMILY APPRAISAL ASSESSMENT (FR-4395)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1708; 42 USC 3535(d)**CFR Citation:** 24 CFR 203**Legal Deadline:** None

Abstract: This proposed rule would set standards and the process under which HUD will assess the accuracy of appraisals performed by the single-family industry. HUD seeks to increase the efficiency of receipt of appraisals and to monitor the appraisals' accuracy through standardization and superior quality control of the end product. Appraisals are performed for approximately 1,000,000 home purchases annually.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 12/00/98 | |
| NPRM Comment | 02/00/99 | |
| Period End | | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Wanda Funk, Real Estate Assessment Center, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 755-7540

RIN: 2502-AH27**1512. • PARTIAL PAYMENT OF CLAIMS FOR HEALTH CARE FACILITIES, HOSPITALS AND GROUP PRACTICE FACILITIES (FR-4387)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1735f to 19**CFR Citation:** 24 CFR 207; 24 CFR 232; 24 CFR 242; 24 CFR 244**Legal Deadline:** None

Abstract: This rule would implement a statutory amendment which extended HUD's authority to make partial payments of claims on insured mortgages covering health care facilities, hospitals and group practice facilities.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment | 01/00/99 | |
| Period End | | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

Agency Contact: Donald Kaplan, Deputy Director for Office of Insured Health Facilities, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0599

RIN: 2502-AH25**1513. UP-FRONT GRANTS IN THE DISPOSITION OF MULTIFAMILY PROJECTS (FR-4310)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701z-11; 12 USC 1701z-12; 12 USC 1713; 12 USC 1715b; 12 USC 1715z-1b; 42 USC 3535(d)**CFR Citation:** 24 CFR 290**Legal Deadline:** None

Abstract: This proposed rule would codify requirements governing the use of up-front grants in the disposition of HUD-owned multifamily properties. Specifically, it addresses eligibility for up-front grants and establishes limits on up-front grant amounts.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment | 01/00/99 | |
| Period End | | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Marc Harris, Office of Portfolio Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0216

RIN: 2502-AH12

HUD—OH

Proposed Rule Stage

1514. UPDATING MANUFACTURED HOUSING REFERENCE STANDARDS (FR-4337)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 5403**CFR Citation:** 24 CFR 3280**Legal Deadline:** None

Abstract: The Department's Manufactured Home Construction and Safety Standards include numerous standards adopted by voluntary consensus standards bodies, which have been incorporated by reference in 24 CFR part 3280. Generally, the voluntary consensus standards bodies update their standards on a regular cycle. Before the Department can adopt the updates to these consensus standards, however, it is required to permit additional public review through notice-and-comment rulemaking. The Department intends to propose adoption of many updates to currently referenced standards, in order to more adequately meet its responsibilities under the Manufactured Housing Program.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment | 01/00/99 | |
| Period End | | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH17**1515. • MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR-4376)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 5403; 42 USC 5424; 42 USC 3535(d)**CFR Citation:** 24 CFR 3280**Legal Deadline:** None

Abstract: HUD is proposing to amend the Federal Manufactured Home

Construction and Safety Standards (FMHCSS) to update many of the standards that are incorporated by reference therein. These reference standards, which are developed by voluntary consensus or industry groups, provide necessary technical standards for the FMHCSS. These proposed amendments would keep the FMHCSS current with the industries that use these reference standards by incorporating the latest edition of these standards and new relevant standards.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 10/00/98 | |
| NPRM Comment | 12/00/98 | |
| Period End | | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH23**1516. SPECIAL PROCEDURES PERMITTING LIMITED COMPLETION OF MANUFACTURED HOMES ON-SITE (FR-4216)****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 5424; 42 USC 3535(d)**CFR Citation:** 24 CFR 3282**Legal Deadline:** None

Abstract: This rule proposes a new process, under which manufacturers and State and private inspection agencies could agree to permit limited site work, under certain conditions, to complete production of manufactured homes, without prior approval by the Secretary. This new process would supplement the current process for approving alternative construction methods.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment | 01/00/99 | |
| Period End | | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AG92**1517. • REAL ESTATE PROCEDURES SETTLEMENT ACT (RESPA): ESCROW ACCOUNT STATEMENT ITEMIZATION OF CHARGES (FR-4390)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 2609; 42 USC 3535(d)**CFR Citation:** 24 CFR 3500**Legal Deadline:** None

Abstract: This rule would clarify that municipal or local taxes would be separately itemized from charges for late fee penalties in the annual escrow account statements.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 10/00/98 | |
| NPRM Comment | 12/00/98 | |
| Period End | | |
| Final Action | 02/00/99 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH26

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)

Final Rule Stage

1518. DELEGATION OF INSURING AUTHORITY TO DIRECT ENDORSEMENT MORTGAGEES (FR-4169)
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d); PL 104-204

CFR Citation: 24 CFR 200; 24 CFR 202; 24 CFR 203; 24 CFR 206

Legal Deadline: None

Abstract: This rule implements the Lender Insurance program, which reflects the Secretary's new authority to delegate the issuance of Mortgage Insurance Certificates (MICs) to mortgagees that are approved under the Direct Endorsement program. This rule will provide that eligible mortgagees that participate in the Lender Insurance program will be responsible for conducting a pre-endorsement review during the origination of their single family mortgage loans, and they will be responsible for endorsing the mortgages for insurance. HUD intends that delegating this insurance authority through the Lender program will be consistent with HUD's efforts to reinvent the Federal Housing Administration (FHA) by creating a more efficient and less burdensome process for providing single family mortgage insurance.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 06/02/97 | 62 FR 30222 |
| Interim Final Rule Effective | 07/02/97 | |
| Interim Final Rule Comment Period End | 08/01/97 | |
| Final Action | 12/00/98 | |
| Final Action Effective | 01/00/99 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: John J. Coonts, Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
 Phone: 202 708-3046

RIN: 2502-AG87

1519. USE OF MATERIAL BULLETINS (FR-4265)
Priority: Routine and Frequent

Legal Authority: 12 USC 1701 to 1715z-18; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This rule, the second of its type in two years, will permit generic acceptances of additional building products or systems. These acceptances are called "Use of Material Bulletins" (UMs) and they supersede separate approvals for individual products without having each manufacturer apply for a separate Materials Release on a specific product.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 02/10/98 | 63 FR 6798 |
| NPRM Comment Period End | 04/13/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
 Phone: 202 708-6401

RIN: 2502-AH02

1520. UPDATE OF THE MODEL ENERGY CODE (MEC) (FR-4272)
Priority: Substantive, Nonsignificant

Legal Authority: PL 102-486 Energy Policy Act of 1992; 42 USC 12709 Cranston-Gonzalez National Affordable Housing Act

CFR Citation: 24 CFR 200.925 to 200.926

Legal Deadline: None

Abstract: The Energy Policy Act of 1992 (EPAct) modified section 109 of the National Affordable Housing Act so that HUD must require improved energy efficiency standards for new construction in certain HUD-insured and -assisted housing programs. HUD must adopt the updated MEC unless its requirements do not significantly increase energy efficiency or are not technologically feasible or economically justified.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 04/16/98 | 63 FR 32958 |
| NPRM Comment Period End | 08/17/98 | |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
 Phone: 202 708-6401

RIN: 2502-AH03

1521. ELECTRONIC SUBMISSION OF REQUIRED DATA BY MULTIFAMILY MORTGAGES (FR-4303)
Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1701 to 1715z-18; 12 USC 1701z-11(e); 12 USC 1713; 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 207

Legal Deadline: None

Abstract: This rule would require mortgagees that hold or service multifamily mortgages insured by HUD to submit certain data electronically to HUD in a HUD-prescribed format. Electronic submission is necessary because the manual submission of HUD forms has become a burden to servicing mortgagees, as well as to HUD. This rule would apply to all multifamily mortgagees in their reporting of mortgage delinquencies, mortgage defaults, mortgage reinstatements, elections to assign mortgages to HUD, and withdrawal of assignment elections.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 05/13/98 | 63 FR 26702 |
| NPRM Comment Period End | 07/13/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

HUD—OH

Final Rule Stage

Agency Contact: Willie Spearmon, Director, Office of Business Products, Room 6134, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH11

1522. TITLE I PROPERTY IMPROVEMENT AND MANUFACTURED HOME LOAN INSURANCE PROGRAMS (FR-4242)

Priority: Other Significant

Legal Authority: 12 USC 1703; 42 USC 1436a; 42 USC 3535 (d); 12 USC 1709; 12 USC 1715b

CFR Citation: 24 CFR 201; 24 CFR 202

Legal Deadline: None

Abstract: This rule will amend HUD's regulations for the title I Property Improvement and Manufactured Home Loan Insurance Programs. In this rule, HUD will eliminate the portion of the program through which sellers, contractors, or suppliers of goods or services assist borrowers in preparing credit applications or otherwise obtaining title I property improvement loans from HUD-insured lenders. Property improvement loans will still, however, be available directly from lenders. This rule will attempt to end the abuses and excessive claims that HUD has experienced in the dealer loan portion of the title I Property Loan Program.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 07/03/97 | 62 FR 36194 |
| NPRM Comment Period End | 09/02/97 | |
| Final Action | 12/00/98 | |
| Final Action Effective | 01/00/99 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AG94

1523. SINGLE-FAMILY PROPERTY DISPOSITION (FR-4244)

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u;

42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 291

Legal Deadline: None

Abstract: This rule announces HUD's intent to replace its current principal method to dispose of its acquired single-family inventory with a more cost efficient, innovative and cost-effective alternative within designated geographic areas for a specific period of time. HUD's goal is to reduce the inventory of single-family properties while continuing to expand homeownership opportunities for American families and to ensure the stability of the FHA mortgage insurance fund.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 06/13/97 | 62 FR 32251 |
| ANPRM Comment Period End | 07/14/97 | |
| NPRM | 05/29/98 | 63 FR 29496 |
| NPRM Comment Period End | 06/29/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joseph McCloskey, Director, Single Family Asset Management Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AG96

1524. SUSPENSION OF FHA SINGLE-FAMILY MORTGAGE INSURANCE PROGRAM FOR MORTGAGES ON INDIAN RESERVATIONS INSURED PURSUANT TO SECTION 248 OF THE NATIONAL HOUSING ACT (FR-4251)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1709 to 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule proposes to suspend the authority of the HUD Secretary to provide FHA insurance pursuant to section 248 of the National Housing Act for mortgage loans made for the financing of single-family homes on Indian reservations. The suspension would be in effect whenever authority

is available to the Department to guarantee additional loans under its Indian Housing Loan Guarantee program authorized by section 184 of the Housing and Community Development Act of 1992. The rule would suspend a program that has not been effective in promoting housing opportunities for Native Americans and permit HUD to focus scarce resources on the similar section 184 program, whenever authority under that program is available.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 02/03/98 | 63 FR 5660 |
| NPRM Comment Period End | 04/06/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: John J. Coonts, Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AH00

1525. MORTGAGE INSURANCE PREMIUM REDUCTION IN CENTRAL CITIES (FR-4284)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1709; 12 USC 1715b

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule will amend HUD's regulations in 24 CFR part 203 to reduce the Up-Front Mortgage Insurance Premium from 1.75 percent to 1.50 percent for qualified first-time homebuyers with counseling located in "central cities."

Section 424 of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 1997 mandated that the Up-Front Mortgage Insurance Premium not exceed 2.00 percent for first-time homebuyers. The further reduction from 1.75 to 1.50 is consistent with the Administration's homeownership strategy.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 05/04/98 | 63 FR 24736 |

HUD—OH

Final Rule Stage

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM Comment Period End | 07/06/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local

Agency Contact: Stephen Semelsberger, Single Family Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH07

1526. SINGLE FAMILY MORTGAGE INSURANCE; DIRECT ENDORSEMENT AND AUTOMATED UNDERWRITING (FR-4311)**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203**Legal Deadline:** None

Abstract: On May 29, 1998, the Department issued an interim rule which amended the regulations on Single Family Mortgage Insurance to allow the lender to accept the classification from an automated underwriting system approved by FHA that a borrower is an accepted risk. The prior regulatory provision required the Direct Endorsement underwriter to certify that the underwriter had personally reviewed the credit application and appraisal report.

Timetable:

| Action | Date | FR Cite |
|------------------------|----------|-------------|
| Interim Final Rule | 05/29/98 | 63 FR 29506 |
| Final Action Effective | 06/29/98 | |
| Comment Period End | 07/28/98 | |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: John J. Coonts, Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing

Phone: 202 708-3046

RIN: 2502-AH15

1527. HOME EQUITY CONVERSION MORTGAGES; RIGHT OF FIRST REFUSAL PERMITTED FOR CONDOMINIUM ASSOCIATIONS (FR-4267)**Priority:** Substantive, Nonsignificant

Legal Authority: 12 USC 1715b; 12 USC 1715z-20; 42 USC 3535(d)

CFR Citation: 24 CFR 206.45(e)**Legal Deadline:** None

Abstract: This rule removes the current restriction on FHA mortgage insurance for the Home Equity Conversion Mortgage (HECM) program for a dwelling unit in a condominium project where the condominium association has a right of first refusal to purchase units that are offered for sale.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 04/09/98 | 63 FR 17654 |
| NPRM Comment Period End | 06/08/98 | |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: John J. Coonts, Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AG93

1528. HOME EQUITY CONVERSION MORTGAGES; CONSUMER PROTECTION MEASURES AGAINST EXCESSIVE FEES (FR-4306)**Priority:** Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)

CFR Citation: 24 CFR 206**Legal Deadline:** None

Abstract: This rule amends the regulations for the FHA Home Equity Conversion Mortgage program under part 206. The HECM program offers FHA-insured first mortgages providing payments to elderly homeowners based on the accumulated equity in their home. These FHA-insured "HECMs"

are commonly referred to as "reverse mortgages." The rule is designed to protect homeowners in the HECM program from becoming liable for payment of excessive fees for third-party provided services of little or no value.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 03/16/98 | 63 FR 12930 |
| NPRM Comment Period End | 05/15/98 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Sandy Allison, Special Assistant to the Deputy Assistant Secretary for Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2733

RIN: 2502-AH10

1529. RISK-SHARING HOSPITAL MORTGAGE INSURANCE PROGRAM (FR-3914)**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1715z**CFR Citation:** 24 CFR 242**Legal Deadline:** None

Abstract: This rule implements a program under which the Secretary will be authorized to enter into risk-sharing agreements with mortgagees to facilitate the financing of hospitals. The concept of risk-sharing is one of the underpinnings of the Federal Housing Administration's (FHA's) reinvention efforts and is critical to our intensified focus on customer service. The hospital risk-sharing initiative is one component of a comprehensive risk-sharing strategy for all FHA program types to assure that FHA has a method of reducing its exposure and strengthening its financial and actuarial positions.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 12/04/96 | 61 FR 64414 |

HUD—OH

Final Rule Stage

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM Comment | 02/03/97 | |
| Period End | | |
| Final Action | 02/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: John U. Sepulveda, Director, Hospital Mortgage Insurance Staff, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0599

RIN: 2502-AG53

1530. • SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES; CLARIFICATION OF EXEMPTION FROM RENT CONTROL (FR-4346)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 891

Legal Deadline: None

Abstract: This final rule would clarify that local rent control laws are preempted for supportive housing projects assisted by HUD with capital advances or related rental assistance contracts under section 202 (projects for the elderly) or section 811 (projects for persons with disabilities) programs. HUD's current regulations on rent control were adopted when supportive housing for the elderly and persons with disabilities were assisted under the old section 202 direct loans program. The final rule will reflect that the successor capital grant programs serving the same purposes are not subject to local rent control.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

Government Levels Affected: Undetermined

Agency Contact: Charles Wehrwein, Deputy Assistant Secretary for Multifamily Programs, Department of Housing and Urban Development, Office of Housing

Phone: 202 708-2495

RIN: 2502-AH21

1531. RESPA: DISCLOSURE OF FEES PAID TO RETAIL LENDERS (BROKERS) (FR-3780)

Regulatory Plan: This entry is Seq. No. 39 in Part II of this issue of the **Federal Register**.

RIN: 2502-AG40

1532. AMENDMENT TO RESPA; EXEMPTION FOR EMPLOYER PAYMENTS TO EMPLOYEES WHO MAKE LIKE-PROVIDER REFERRALS, AND OTHER AMENDMENTS (FR-4173)

Priority: Other Significant

Legal Authority: 12 USC 2601 to 2617; 42 USC 3535(d); PL 104-208

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: The Department is considering a new exemption under Regulation X, its regulation implementing the Real Estate Settlement Procedures Act of 1974 (RESPA). The exemption would allow payments by an employer to its own bona fide employees for the referral of settlement service business to an affiliated settlement service provider, provided that the settlement service business that is referred is the category of settlement service as provided by the employer of the employee making the referral, the employee makes the affiliated business arrangement disclosure as provided in 24 CFR section 3500.15, and the employee making the referral does not perform any other category of settlement service in the same transaction. This rule also implements two amendments to RESPA in recent legislation. One concerns referrals of settlement service business through telemarketing, in writing, or through electronic media. The other concerns mortgage servicing sales or transfers.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 05/09/97 | 62 FR 25740 |
| NPRM Comment | 07/08/97 | |
| Period End | | |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AG88

1533. • RESPA STATEMENTS OF POLICY REGARDING CERTAIN PRIVATE MORTGAGE INSURANCE ARRANGEMENTS (FR-4342)

Priority: Other Significant

Legal Authority: 12 USC 2601 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: These four statements of policy set forth the Department's interpretation under the Real Estate Settlement Procedures Act (RESPA) (12 U.S.C. 2601 et seq.) of the legality of certain arrangements involving private mortgage insurers and lenders, and are issued under the authority of RESPA and Regulation X (24 CFR 3500.4(a)(ii)). These statements of policy analyze the applicability of section 8 of RESPA to Lender Paid Mortgage Insurance, to captive reinsurance arrangements, to the Performance Notes program and to agency pool insurance.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 02/00/99 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: David R. Williamson, Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH19

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)
Completed Actions
**1534. PORTFOLIO REENGINEERING
TRANSITION PROGRAM GUIDELINES
- FY 1998 (FR-4162)**
Priority: Other Significant**CFR Citation:** 24 CFR 000**Completed:**

| Reason | Date | FR Cite |
|--------|----------|-------------|
| Notice | 07/01/98 | 63 FR 36130 |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Dan Sullivan
Phone: 202 708-2121**RIN:** 2502-AH13
**1535. • SECONDARY MARKET FOR
NONCONFORMING MORTGAGE
LOANS TO LOW-WEALTH
BORROWERS (FR-4348)**
Priority: Other Significant**Legal Authority:** FY 1998
Appropriations Act PL 105-65;
approved 10/27/97**CFR Citation:** 24 CFR 000**Legal Deadline:** None

Abstract: This advance notice of proposed rulemaking solicits public input regarding a demonstration program established in HUD's FY 1998 Appropriations Act. That Act set aside \$10 million in funds for use by nonprofit organizations to demonstrate methods of expanding homeownership opportunities for low-income borrowers through expanding the secondary market for nonconforming home mortgage loans.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 08/04/98 | 63 FR 41702 |
| ANPRM Comment Period End | 09/03/98 | |
| Withdrawn | 10/19/98 | |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Vance Morris,
Director, Home Mortgage Insurance
Division, Department of Housing and
Urban Development, Office of Housing

Phone: 202 708-2121

RIN: 2502-AH20
**1536. TERMINATION OF AN
APPROVED MORTGAGEE'S
ORIGINATION APPROVAL
AGREEMENT (FR-4239)**
Priority: Substantive, Nonsignificant**CFR Citation:** 24 CFR 201; 24 CFR 202;
24 CFR 203**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 08/18/98 | 63 FR 44360 |
| Final Action Effective | 09/17/98 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Phillip Murray
Phone: 202 708-1515**RIN:** 2502-AG99
**1537. SUSPENSION OF NEW LEASES
UNDER THE SINGLE-FAMILY
PROPERTY DISPOSITION HOMELESS
PROGRAM (FR-4275)**
Priority: Substantive, Nonsignificant**CFR Citation:** 24 CFR 291**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 10/19/98 | |

**Regulatory Flexibility Analysis
Required:** Undetermined**Government Levels Affected:** Local**Agency Contact:** Kitty Woodley
Phone: 202 708-0317**RIN:** 2502-AH06
**1538. MULTIFAMILY HOUSING
MORTGAGE AND HOUSING
ASSISTANCE RESTRUCTURING
PROGRAM (MARK TO MARKET) AND
RENEWAL OF EXPIRING SECTION 8
PROJECT-BASED ASSISTANCE (FR-
4298)**
Completed:

| Reason | Date | FR Cite |
|--|----------|---------|
| Transfer Development to - RIN 2501-AC57 | 10/21/98 | |

RIN: 2502-AH09
**1539. • INTERSTATE LAND SALES
DISPOSITION FEES; CHANGE IN
MAILING ADDRESS AND AUTHORITY
TO MAKE ELECTRONIC PAYMENT
(FR-4365)**
Priority: Substantive, Nonsignificant**Legal Authority:** 15 USC 1718**CFR Citation:** 24 CFR 1720**Legal Deadline:** None

Abstract: The rule will change the mailing address for fees under the Interstate Land Sales Registration Act, and permit the fees to be paid electronically.

Timetable:

| Action | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 10/08/98 | 63 FR 54330 |
| Final Action Effective | 11/09/98 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Elizabeth Cocke,
Special Assistant, Department of
Housing and Urban Development,
Office of Housing, Office of Consumer
and Regulatory Affairs
Phone: 202 708-6401**RIN:** 2502-AH22
**1540. METAL ROOFING FOR
MANUFACTURED HOUSING—
INTERPRETATIVE BULLETIN (FR-
4271)**
Priority: Substantive, Nonsignificant**CFR Citation:** 24 CFR 3280**Completed:**

| Reason | Date | FR Cite |
|--|----------|---------|
| Merged - with RIN 2502-AH17 (FR- 4337) | 08/14/98 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** David R. Williamson
Phone: 202 708-6401**RIN:** 2502-AH05

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Proposed Rule Stage

**1541. COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM;
NATIONAL OBJECTIVE AND
STREAMLINING CHANGES (FR-4144)**
Priority: Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 3535(d); 42 USC 5301 to 5321**CFR Citation:** 24 CFR 570**Legal Deadline:** None**Abstract:** This rule would make a variety of changes and clarifications to the regulations for the Community Development Block Grant (CDBG) Entitlement program. This rule would, in part, codify statutory changes made by section 225 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 and section 807(a) of the Housing and Community Development Act of 1992. This rule

would also make further changes necessary to conform the CDBG and HOME programs, particularly in regard to national objective requirements, and make other changes to the national objectives regarding job retention for low- and moderate-income persons. This rule would further advise grantees and subrecipients regarding the need to net all applicable credits from costs to be paid with CDBG funds. An Office of Inspector General (OIG) audit found that applicable credits have not always been properly netted from costs before the costs were paid with CDBG funds. Other changes are needed to codify new eligible activities and to make it easier for grantees to carryout joint CDBG and HOME activities.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 03/00/99 | |
| NPRM Comment Period End | 05/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local

Agency Contact: Deirdre Maguire-Zinni, Director, Entitlement Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1577

RIN: 2506-AB90
**1542. CDBG SLUM/BLIGHT NATIONAL
OBJECTIVE RULE (FR-4260)**
Regulatory Plan: This entry is Seq. No. 40 in Part II of this issue of the **Federal Register**.**RIN:** 2506-AB94
**1543. CLARIFICATION OF THE
NATURE OF REQUIRED CDBG
EXPENDITURE DOCUMENTATION (FR-
4261)**
Regulatory Plan: This entry is Seq. No. 41 in Part II of this issue of the **Federal Register**.**RIN:** 2506-AB95
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Final Rule Stage

**1544. CDBG PROGRAM FOR STATES;
COMMUNITY REVITALIZATION
STRATEGY REQUIREMENTS &
MISCELLANEOUS TECHNICAL
AMENDMENTS (FR-4081)**
Priority: Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5300 to 5320; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912**CFR Citation:** 24 CFR 91; 24 CFR 570**Legal Deadline:** None**Abstract:** This rule implements the Community Revitalization Strategies concept into the State CDBG program. This concept will provide States additional flexibility in meeting certain requirements regarding the program's national objectives and public benefit. This rule also makes several technical amendments to correct errors from

previous rulemaking and to enhance and clarify the regulation. These amendments are consistent with recent changes to the Entitlement CDBG program. This rule will be merged with the "CDBG Program for States: Program Income" rule (FR-4067) when published as a final rule.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 10/22/96 | 61 FR 54914 |
| Interim Final Rule Effective | 11/21/96 | |
| Interim Final Rule Comment Period End | 02/16/97 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AB83
**1545. COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM; SECTION
108 APPLICATION REQUIREMENTS
(FR-3298)**
Priority: Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 3535(d); 42 USC 5301 to 5320**CFR Citation:** 24 CFR 570**Legal Deadline:** None**Abstract:** This rule amends the application procedures of the section 108 Loan Guarantee program in order to conform those procedures to the Consolidated Plan submission process.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 11/12/93 | 58 FR 60088 |
| NPRM Comment Period End | 01/11/94 | |
| Second NPRM | 09/26/96 | 61 FR 50654 |
| Final Action | 01/00/99 | |

HUD—CPD

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Paul Webster, Director, Financial Management Div., Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1871**RIN:** 2506-AB43**1546. SECTION 108 LOAN GUARANTEE PROGRAM (FR-4039)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 3535(d); 42 USC 5300 to 5320**CFR Citation:** 24 CFR 570**Legal Deadline:** None**Abstract:** This rule removes misleading and unnecessary language from the regulations that govern security requirements for loans guaranteed under the section 108 Loan Guarantee Program.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Paul Webster, Director, Financial Management Div., Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1871**RIN:** 2506-AB80**1547. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS FOR STATES; PROGRAM INCOME (FR-4067)****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 3535(d); 42 USC 5300 to 5320**CFR Citation:** 24 CFR 570**Legal Deadline:** None**Abstract:** This rule will make many small changes and clarifications to the regulations for the State CDBG Program. This rule will allow States to apply additional requirements to units of general local government that are not inconsistent with statutes and regulations. It will clarify the standards for spending funds outside the recipient's jurisdiction. It will clarify the conflict of interest provisions, and update the national objective of benefit to low- and moderate-income persons. It will also make conforming changes to update the regulations based on recent statutory amendments. This rule will be merged with the "CDBG Program for States: Community Revitalization Strategy Requirements" rule (FR-4081) when published as a final rule.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/11/97 | 62 FR 11284 |
| NPRM Comment Period End | 05/12/97 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Steve Johnson,Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322**RIN:** 2506-AB82**1548. EMERGENCY SHELTER GRANTS PROGRAM (FR-4330)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 11371 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 576**Legal Deadline:** None**Abstract:** The regulatory changes to be made by this rule include technical corrections to the Emergency Shelter Grants (ESG) Program final rule published on October 2, 1996, and also revisions to CPD's implementation of IDIS, an automated payment and reporting system.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 02/00/99 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local**Agency Contact:** John Garrity, Director, Office of Special Needs Assistance Programs, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-4300**RIN:** 2506-AB99

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Long-Term Actions

Office of Community Planning and Development (CPD)

1549. ADMINISTRATIVE GUIDELINES FOR CPD PROGRAMS; SECTION 102(D) LIMITATION ON COMBINING OTHER GOVERNMENT ASSISTANCE WITH CPD HOUSING ASSISTANCE (FR-3135)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** None**Legal Deadline:** None**Abstract:** This document sets forth the administrative guidelines the Office of Community Planning and Development will follow in determining on a case-by-case basis, that the amount of assistance being provided by HUD for a specific housing project for which other government assistance is also

being made available, is not more than is necessary to make the assisted activity feasible after taking into account the other government assistance. HUD is required to make these determinations, and to so certify, under section 102(d) of the Department of Housing and Urban Development Reform Act of 1989 for certain CPD programs.

HUD—CPD

Long-Term Actions

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 00/00/00 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Robert Duncan,
Assistant Director, Office of BlockGrants, Department of Housing and
Urban Development, Office of
Community Planning and Development
Phone: 202 708-3587

RIN: 2506-AB74

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Completed Actions

1550. NEW EMPOWERMENT ZONES
(FR-4281)

Priority: Other Significant

CFR Citation: 24 CFR 597

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 10/02/98 | 63 FR 53262 |
| Final Action Effective | 11/02/98 | |

Regulatory Flexibility Analysis
Required: NoGovernment Levels Affected: State,
Local, TribalAgency Contact: Dennis Kane
Phone: 202 708-6339

RIN: 2506-AB97

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Government National Mortgage Association (GNMA)

Proposed Rule Stage

1551. GINNIE MAE - FINANCE -
NAHASDA IMPLEMENTATION (FR-
4215)

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-330

CFR Citation: 24 CFR 300.3; 24 CFR
320; 24 CFR 330; 24 CFR 340

Legal Deadline: None

Abstract: Section 701(c) of the Native
American Housing Assistance and Self-
Determination Act of 1996 permitsGinnie Mae to securitize loans
guaranteed by the Secretary. This rule
will make amendments to the Ginnie
Mae regulations to reflect this change
and to make certain technical
amendments to the Ginnie Mae
regulations.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment Period End | 01/00/99 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Nicholas Shelley,
Acting Vice President for Policy
Planning and Risk Management,
Department of Housing and Urban
Development, Government National
Mortgage Association
Phone: 202 708-4141

RIN: 2503-AA11

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Government National Mortgage Association (GNMA)

Final Rule Stage

1552. GINNIE MAE - FINANCIAL
REPORTING (FR-4331)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1721(g)(1); 42
USC 3535(d)

CFR Citation: 24 CFR 320.10

Legal Deadline: None

Abstract: This final rule eliminates the
physical certificate backing for eachGinnie Mae-guaranteed security and
permits a true book entry system.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule | 09/24/98 | 63 FR 51249 |
| Interim Final Rule Effective | 10/26/98 | |
| Interim Final Rule Comment Period End | 11/23/98 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Thomas R. Weakland,
Vice President for Program
Administration, Department of Housing
and Urban Development, Government
National Mortgage Association
Phone: 202 708-2884

RIN: 2503-AA12

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)
Proposed Rule Stage
**1553. FAIR HOUSING PLANNING
PERFORMANCE STANDARD (FR-4133)**

Regulatory Plan: This entry is Seq. No. 42 in Part II of this issue of the **Federal Register**.

RIN: 2529-AA81

**1554. • CERTIFICATION AND
FUNDING OF STATE AND LOCAL
FAIR HOUSING ENFORCEMENT
AGENCIES (FR-4392)**

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 42 USC 3601 to 19; 42 USC 3535(d)

CFR Citation: 24 CFR 115

Legal Deadline: None

Abstract: This proposed rule will amend the regulation to allow for changes caused by departmental reform; FHEO reorganization, and improve program implementation.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 12/00/98 | |
| NPRM Comment Period End | 02/00/99 | |

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Ivy Davis, Director, FHIP/FHAP Support Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-1992

RIN: 2529-AA85

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)
Final Rule Stage
**1555. IMPLEMENTATION OF THE
HOUSING FOR OLDER PERSONS ACT
OF 1995 (FR-4094)**

Priority: Other Significant

Legal Authority: 42 USC 3601 to 3619; 42 USC 3535(d)

CFR Citation: 24 CFR 100

Legal Deadline: None

Abstract: The Housing for Older Persons Act (HOPA) of 1995 (Pub. L. 104-76), signed into law on December 28, 1995, amends the "55 and older housing" exemption to the Fair Housing Act's (the Act) prohibition against discrimination based on familial status. The HOPA eliminates the requirement that "housing for older persons" have significant services and facilities for their residents and establishes a good faith reliance defense for monetary damages based on the housing provider's legitimate belief that the housing was entitled to an exemption. In order to qualify for the "55 or over housing" exemption, a housing community must be able to meet the following criteria: 1) at least 80 percent of the units are occupied by at least one person 55 years of age or older per unit; 2) the publication and adherence to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older; and 3) verification of the ages of its residents through reliable surveys and affidavits.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 01/14/97 | 62 FR 2000 |
| NPRM Comment Period End | 03/17/97 | |
| Final Action | 12/00/98 | |

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Sara K. Pratt, Director, Office of Investigations, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-0836

RIN: 2529-AA80

**1556. ECONOMIC OPPORTUNITIES
FOR LOW- AND VERY-LOW-INCOME
PERSONS (FR-2898)**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1450; 42 USC 3301; 12 USC 1701u; 42 USC 3535(d)

CFR Citation: 24 CFR 135

Legal Deadline:

Final, Statutory, April 28, 1993.

Abstract: The regulations at 24 CFR 135 were revised substantially to incorporate the statutory amendments in the Housing and Community

Development Act of 1992, to reflect certain changes in the design of the Department's programs that are subject to the section 3 regulations to clarify the obligations of individuals and entities subject to the requirements of section 3, and to simplify the Department's administration of section 3 requirements. The final rule may make further revisions in response to public comment.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 10/08/93 | 58 FR 52534 |
| Notice | 11/09/93 | 58 FR 59423 |
| Notice Comment Period End | 12/08/93 | |
| Interim Final Rule | 06/30/94 | 59 FR 33886 |
| Interim Final Rule Effective | 08/01/94 | |
| Interim Final Rule Comment Period End | 08/29/94 | |
| Extension of Effective Period of Interim Rule | 05/31/95 | 60 FR 28325 |
| Extension Effective | 06/30/96 | |
| Final Action | 11/00/98 | |

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: State, Local, Federal

Agency Contact: John Waller, Program Manager, Office of Economic Opportunity, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity

HUD—FHEO

Final Rule Stage

Phone: 202 708-2251

RIN: 2529-AA49

1557. CIVIL MONEY PENALTIES FOR FAIR HOUSING ACT VIOLATIONS (FR-4302)**Priority:** Other Significant**Legal Authority:** 29 USC 794; 42 USC 2000d-1; 42 USC 3601 to 3619; 42 USC 5301 to 5320; 42 USC 6103; 42 USC 3535(d)**CFR Citation:** 24 CFR 180**Legal Deadline:** None**Abstract:** This rule finalizes the policies and procedures described in HUD's December 18, 1997 proposed

rule. Specifically, the final rule interprets the Fair Housing Act to clarify that an Administrative Law Judge (ALJ) may assess more than one maximum civil penalty against a respondent in a given case, where the respondent has committed separate and distinct acts of discrimination. The final rule is also part of President Clinton's "Make 'Em Pay" initiative, which is designed to fight housing-related acts of hate violence and intimidation with increased enforcement and monetary penalties. The rule describes how ALJs apply in determining the amount of a civil penalty to assess against a respondent found to have committed a discriminatory housing practice.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 12/18/97 | 62 FR 66488 |
| NPRM Comment Period End | 01/20/98 | |
| Final Action | 12/00/98 | |
| Final Action Effective | 01/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Stephen Shaw, Trial Attorney, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-1042

RIN: 2529-AA83

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Proposed Rule Stage

Office of Administration (OA)

1558. HUD ACQUISITION REGULATION FOR LEGAL SERVICES CONTRACTORS (FR-4291)**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 42 USC 3535(d)**CFR Citation:** 48 CFR 2409; 48 CFR 2452**Legal Deadline:** None**Abstract:** This proposed rule would amend the HUD Acquisition Regulation (HUDAR) to require offerors and contractors for the performance of legal services to identify all former and current clients in, and the facts and

circumstances of, any claims against HUD, any matters involving HUD as a party, and any matters without formal parties, such as rulemaking or attempting to influence legislation or policy, in which HUD has a direct interest. HUD would use this information in determining whether a conflict of interest is present.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 11/00/98 | |
| NPRM Comment Period End | 01/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Edward L. Girovasi, Jr., Director, Policy & Evaluation Div. Office of Procurement & Contracts, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-0294

RIN: 2535-AA25

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Final Rule Stage

Office of Administration (OA)

1559. HUD ACQUISITION REGULATION—II (FR-4115)**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 42 USC 3535(d); 41 USC 251**CFR Citation:** 48 CFR 2401**Legal Deadline:** None**Abstract:** This rule will implement changes stemming from the "Federal Acquisition Reform Act of 1996" and

subsequent revisions to the Federal Acquisition Regulation.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 01/00/99 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is a

statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Edward L. Girovasi, Jr., Director, Policy & Evaluation Div. Office of Procurement & Contracts, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-0294

RIN: 2535-AA24

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Inspector General (HUDIG)
Completed Actions
**1560. PRIVACY ACT OF 1974;
 CONSOLIDATION OF EXISTING
 SYSTEMS OF RECORDS INTO SINGLE
 SYSTEM OF RECORDS (FR-4283)**

Priority: Substantive, Nonsignificant
CFR Citation: 24 CFR 2003

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 08/19/98 | |

**Regulatory Flexibility Analysis
 Required:** Undetermined

Government Levels Affected:
 Undetermined

Agency Contact: Philip Kesaris
 Phone: 202 708-1613

RIN: 2508-AA10

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Policy Development and Research (PD&R)
Completed Actions
**1561. COMMUNITY DEVELOPMENT
 HISPANIC-SERVING INSTITUTIONS
 WORK STUDY PROGRAM (FR-4269)**

Priority: Substantive, Nonsignificant
CFR Citation: 24 CFR 570

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 09/10/98 | 63 FR 48437 |
| Final Action Effective | 10/13/98 | |

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Jane Karadbil
 Phone: 202 708-1537

RIN: 2528-AA07

**1562. REMOVAL OF THE REPAYMENT
 REQUIREMENT FOR PARTICIPANTS
 IN THE COMMUNITY DEVELOPMENT
 WORK-STUDY PROGRAM (CDWSP)
 (FR-4324)**

Priority: Substantive, Nonsignificant
CFR Citation: 24 CFR 570

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 06/10/98 | 63 FR 31868 |

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Jane Karadbil
 Phone: 202 708-1537

RIN: 2528-AA08

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Public and Indian Housing (PIH)
Proposed Rule Stage
**1563. • RESIDENT SURVEY
 INFORMATION DISCLOSURE
 REQUIREMENTS—PRIVACY ACT (FR-
 4393)**

Priority: Substantive, Nonsignificant
Legal Authority: 5 USC 552(a); 42 USC 3535(d)

CFR Citation: 24 CFR 901

Legal Deadline: None

Abstract: This proposed rule would amend HUD's Privacy Act regulations by describing under what circumstances HUD may release information obtained from a resident survey. This rule would also describe the privacy requirements for public or private entities that have access to this data.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 04/00/99 | |
| NPRM Comment Period End | 06/00/99 | |

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected:
 Undetermined

Agency Contact: Christine Jenkins,
 Real Estate Assessment Center,
 Department of Housing and Urban
 Development, Office of the Secretary
 Phone: 202 755-7540

RIN: 2577-AB84

**1564. • QUALITY ASSURANCE
 REVIEW OF INDEPENDENT PUBLIC
 AUDITORS BY REAL ESTATE
 ASSESSMENT CENTER STAFF (FR-
 4394)**

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC ch 35; 42 USC 3535(d)

CFR Citation: 24 CFR 901

Legal Deadline: None

Abstract: This proposed rule would establish generally applicable requirements for HUD Quality Assurance reviews of parties that audit the books and records of HUD program recipients. The rule would address HUD inspections, HUD review of work paper prepared by Independent Public Auditors, and HUD enforcement of its right to such reviews.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 06/00/99 | |
| NPRM Comment Period End | 08/00/99 | |

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Peter Bell, Real Estate
 Assessment Center, Department of
 Housing and Urban Development,
 Office of the Secretary
 Phone: 202 755-7540

RIN: 2577-AB85

**1565. DESIGNATED HOUSING
 PROGRAM AMENDMENTS (FR-3964)**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1473e; 42 USC 3535(d)

CFR Citation: 24 CFR 945

HUD—PIH

Proposed Rule Stage

Legal Deadline: None

Abstract: The proposed rule would amend HUD's Designated Housing Program regulations at 24 CFR part 945 to implement certain new requirements made to this program by the Housing Opportunity Program Extension Act of 1996 (Pub. L. 104-120, approved March 28, 1996). In addition to implementing these requirements the regulations would be streamlined to allow autonomy and flexibility.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 12/00/98 | |
| NPRM Comment Period End | 02/00/99 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gloria Cousar, Deputy Assistant Secretary for Public and Assisted Housing Operations, Department of Housing and Urban Development, Office of Public and Indian Housing

Phone: 202 619-8201

RIN: 2577-AB57**1566. • SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) NEW PERFORMANCE INDICATORS (FR-4388)****Priority:** Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 985**Legal Deadline:** None

Abstract: Under the section 8 Management Assessment Program (SEMAP), HUD assesses whether local agencies operate the tenant-based rental assistance programs effectively. SEMAP currently measures housing agency performance under indicators representing 15 key program areas. This rule would add three new performance indicators to SEMAP: timeliness of housing assistance payments (HAPs) to owners; implementation of screening

and termination policies for certain evictions, for drug-related criminal activity, and for disruptive alcohol abuses; and for deconcentration of assisted families.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 12/00/98 | |
| NPRM Comment Period End | 02/00/99 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB83

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Final Rule Stage

Office of Public and Indian Housing (PIH)

1567. CEILING RENTS FOR PUBLIC HOUSING (FR-3880)**Priority:** Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437d; 42 USC 1437f; 42 USC 1437n; 42 USC 3535(d)

CFR Citation: 24 CFR 5, subpart F**Legal Deadline:** None

Abstract: This rule would permit public housing agencies (PHA) to adopt caps on rents for projects or dwelling units that are assisted under the U.S. Housing Act of 1937 and that are owned and operated by the PHA. The Balanced Budget Downpayment Act I amended the 1937 Act to permit the establishment of caps or ceiling rents on the income-based monthly rental payment that reflect the reasonable market value of the housing, but are not less than the monthly costs (1) to operate the housing of the PHA; and (2) to make a deposit to a replacement reserve (in the sole discretion of the PHA).

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 11/25/97 | 62 FR 62928 |
| NPRM Comment Period End | 01/26/98 | |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Patricia Arnaudo, Acting Director, Occupancy Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 619-8201

RIN: 2577-AB75**1568. HOUSING OPPORTUNITY PROGRAM EXTENSION ACT OF 1996 IMPLEMENTATION PROVISIONS AND SECTION 8 CERTIFICATE, VOUCHER, & MODERATE REHABILITATION ADMISSION & OCCUPANCY POLICIES REVISIONS (FR-4159)****Priority:** Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 882; 24 CFR 982**Legal Deadline:** None

Abstract: This rule amends the admission and occupancy requirements for the Section 8 Rental Certificate, Rental Voucher, and Moderate Rehabilitation Programs as follows: makes certain applicants ineligible for admission if evicted from housing assisted under the United States Housing Act of 1937; terminates assistance to tenant-based certificate and voucher participants evicted for serious lease violations; screens out illegal drug users and alcohol abusers; and terminates assistance to illegal drug users and alcohol abusers.

HUD—PIH

Final Rule Stage

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/31/97 | 62 FR 15346 |
| NPRM Comment Period End | 05/30/97 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB72

1569. PUBLIC HOUSING ASSESSMENT SYSTEM (FR-4313)**Priority:** Other Significant

Legal Authority: 42 USC 1437(d); 42 USC 1437(j); 42 USC 3535(d)

CFR Citation: 24 CFR 901

Legal Deadline: None

Abstract: This rule would amend the Public Housing Management Assessment Program (PHMAP) at 24 CFR part 901 to establish a new system for assessing public housing and take into account the roles of HUD's Real Estate Assessment Center, Troubled Agency Recovery Center, and Enforcement Center.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 06/30/98 | 63 FR 35672 |
| NPRM Comment Period End | 08/13/98 | 63 FR 40682 |
| Final Action | 10/00/98 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: William Thorson, Director, Physical Inspection Management, Real Estate Assessment Center, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 755-0102

RIN: 2577-AB81

1570. PUBLIC HOUSING DEVELOPMENT REGULATIONS (FR-3569)**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1437c

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This rule finalizes a comprehensive revision of the public housing development and acquisition program regulation at 24 CFR 941. This rule will respond to comments received on three interim rules. The first of those rules redesigned the public housing development process to give housing authorities and localities maximum flexibility in developing public housing in their communities. The second of those rules (FR-3919, RIN 2577-AB54) provided procedures to permit housing agencies to enter a partnership with an entity to develop and own public housing properties in mixed-income developments using a mixed-financed development method. The third rule (FR-4113, RIN 2577-AB69) streamlined and modified this mixed finance component.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule (FR-3919) | 05/02/96 | 61 FR 19708 |
| Interim Final Rule Effective (FR 3919) | 07/01/96 | |
| Interim Final Rule (FR 3569) | 07/22/96 | 61 FR 38014 |
| Interim Final Rule Effective | 08/21/96 | |
| Interim Final Rule Comment Period End (FR 3569) | 09/20/96 | |
| Interim Final Rule (FR-4113) | 11/00/98 | |
| Final Action | 05/00/99 | |

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: William Flood, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing

Phone: 202 708-1640

RIN: 2577-AB37

1571. PUBLIC HOUSING MIXED-FINANCE PARTNERSHIP DEVELOPMENT—STREAMLINING (FR-4113)**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1427b; 42 USC 1437c; 42 USC 3535(d)

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This rule will streamline the provisions of the new subpart F of part 941, which provides for mixed-finance partnerships to develop public housing. The rule is needed because questions have arisen during implementation of the existing regulations in subpart F. The clarification afforded by this removal of duplicative language will be highly beneficial.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 02/00/99 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Sowell, Director, Office of Public Housing Partnerships, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8812

RIN: 2577-AB69

1572. PUBLIC HOUSING ADMISSION AND OCCUPANCY REFORMS AND STREAMLINING (FR-4084)

Regulatory Plan: This entry is Seq. No. 43 in Part II of this issue of the **Federal Register**.

RIN: 2577-AB67

1573. REPLACEMENT HOUSING FACTOR IN MODERNIZATION FUNDING (FR-4125)**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing

HUD—PIH

Final Rule Stage

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1437l(k)(2)(B); 42 USC 3535(d)

CFR Citation: 24 CFR 968

Legal Deadline: None

Abstract: The replacement housing factor would offset for five years much of the loss of formula share funding due to the reduction of units as a result of demolition, disposition, or conversion from October 1, 1996, as long as the reduced units are not in developments receiving MROP or HOPE IV implementation funding and as long as the funds conserved by the offset are used for approved replacement housing.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 09/10/97 | 62 FR 47720 |
| NPRM Comment Period End | 12/09/97 | |
| Final Action | 11/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Rod J. Solomon, Senior Director, Office of Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AB71

1574. ASSESSMENT OF THE REASONABLE REVITALIZATION POTENTIAL OF CERTAIN PUBLIC HOUSING REQUIRED BY LAW (FR-4120)

Regulatory Plan: This entry is Seq. No. 44 in Part II of this issue of the **Federal Register**.

RIN: 2577-AB79

1575. SECTION 8 RENTAL VOUCHER AND CERTIFICATE PROGRAMS—SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) (FR-3986)

Priority: Other Significant

Legal Authority: 42 USC 1437f; 42 USC 3535(d); 42 USC 1437a; 42 USC 1437c

CFR Citation: 24 CFR 985

Legal Deadline: None

Abstract: Under the section 8 Management Assessment Program (SEMAP) established by the rule, HUD assesses whether the section 8 tenant-based assistance programs operate effectively to achieve the intended result of helping eligible families afford decent rental units at a reasonable subsidy cost. SEMAP establishes an objective system for HUD to measure HA performance in key section 8 program areas to enable the Department to ensure program integrity and accountability. SEMAP provides procedures for HUD to identify housing agency management capabilities and deficiencies in order to target monitoring and program assistance more effectively. Housing agencies can use the SEMAP performance analysis to assess and improve their own program operations.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 12/02/96 | 61 FR 63930 |
| NPRM Comment Period End | 01/31/97 | |
| Final Action | 10/00/98 | |

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB60

1576. PUBLIC HOUSING PERFORMANCE FUNDING SYSTEM: INCENTIVES (FR-4072)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1437g; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Legal Deadline: None

Abstract: In addition to codifying minor changes to the Performance

Funding System inspired by the continuing resolution and implemented by a Notice to Housing Agencies with respect to FYs '96, '97 and '98 this rule provides for a gradual phase-down of operating subsidy with respect to public housing units being demolished.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| ANPRM | 09/20/96 | 61 FR 51178 |
| Interim Final Rule | 09/20/96 | 61 FR 51178 |
| Interim Final Rule Effective | 10/30/96 | |
| Interim Final Rule Comment Period End | 11/29/96 | |
| Final Action | 12/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joan DeWitt, Director, Finance & Budget Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1872

RIN: 2577-AB65

1577. LOAN GUARANTEE FOR INDIAN HOUSING; DIRECT GUARANTEE PROCESSING (FR-4241)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1715z-13a

CFR Citation: 24 CFR 1005

Legal Deadline: None

Abstract: This interim rule would authorize a processing alternative known as "direct guarantee" under which HUD would not issue guarantee commitments and would not review an application for guarantee until after a loan has closed.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 10/00/98 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Jacqueline Johnson, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0950

RIN: 2577-AB78

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Public and Indian Housing (PIH)**Long-Term Actions****1578. ADMINISTRATIVE GUIDELINES FOR PIH REGARDING SECTION 102(D) LIMITATIONS ON COMBINING OTHER GOVERNMENT ASSISTANCE ("SUBSIDY LAYERING") (FR-3100)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** None**Legal Deadline:** None**Abstract:** This notice sets forth the PIH administrative guidelines which HUD, or in certain circumstances Housing Credit Agencies (HCAs), will follow in

implementing "subsidy layering" reviews in accordance with section 102(d) of the HUD Reform Act of 1989 and section 911 of the Housing and Community Development Act of 1992 for public and Indian housing programs. Such reviews are necessary to ensure that the amount of assistance being provided by HUD for a specific housing project is not more than is necessary to make the assisted activity feasible after taking into account assistance from other government sources.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| Notice | 00/00/00 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** G. Dewayne Kimbrough, Urban Revitalization Specialist, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0614**RIN:** 2577-AB53**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**
Office of Public and Indian Housing (PIH)**Completed Actions****1579. STREAMLINING OF TURNKEY III PROGRAM REGULATIONS (FR-4217)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 24 CFR 904**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 08/13/98 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Gary Van Buskirk
Phone: 202 401-8812**RIN:** 2577-AB76**1580. SECTION 8 TENANT-BASED PROGRAMS: ADDITION OF PROVISIONS ON RENTS AND SPECIAL HOUSING TYPES (FR-4054)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 24 CFR 982; 24 CFR 983**Completed:**

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 04/30/98 | 63 FR 23826 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Gerald Benoit
Phone: 202 708-0477**RIN:** 2577-AB63**1581. SECTION 8 PROGRAM RESTRICTIONS ON LEASING TO RELATIVES (FR-4149)****Priority:** Other Significant**CFR Citation:** 24 CFR 982**Completed:**

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 05/18/98 | 63 FR 27434 |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Gerald Benoit
Phone: 202 708-0477**RIN:** 2577-AB73

[FR Doc. 98-23916 Filed 11-06-98; 8:45 am]

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